
DEPARTMENT OF THE INTERIOR**Fish and Wildlife Service****50 CFR Part 17****Endangered and Threatened Wildlife and Plants; 90-Day Finding and Commencement of Status Review for Petition To List Hawaiian Freshwater Goby Fish (*Lentipes concolor*) as Threatened and Endangered, and To Designate Critical Habitat**

AGENCY: Fish and Wildlife Service, Interior.

ACTION: Notice of petition finding.

SUMMARY: The U.S. Fish and Wildlife Service (Service) announces a 90-day finding for a petition to add the Hawaiian freshwater goby fish (*Lentipes concolor*) to the List of Endangered and Threatened Wildlife. The petition has been found to present substantial information indicating that the requested actions may be warranted. The species is classified as a category 1 candidate. Through issuance of this notice, the Service is commencing a formal review of the status of this species.

DATES: Comments and information must be submitted by July 16, 1990.

ADDRESSES: Data, information, comments, or questions concerning the status of *Lentipes concolor* should be submitted to the Field Supervisor, U.S. Fish and Wildlife Service, 300 Ala Moana Blvd., room 6307, P.O. Box 50167, Honolulu, Hawaii 96850. The petition, this finding, supporting data, and comments are available for public inspection, by appointment, during normal business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Ernest Kosaka, Field Supervisor, at the above address (808/541-2749 or FTS 551-2749).

SUPPLEMENTARY INFORMATION:**Background**

Section 4(b)(3)(A) of the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), requires that the Service make a finding on whether a petition to list, delist, or reclassify a species presents substantial scientific or commercial information to

demonstrate that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of the receipt of the petition, and the finding is to be published promptly in the Federal Register.

Arnold L. Lum and Michael R. Sherwood, attorneys with the Sierra Club Legal Defense Fund, Inc., submitted to the Service a petition on behalf of the Sierra Club, Conservation Council for Hawaii, Life of the Land, Hawaii Audubon Society, and 1000 Friends of Kauai (petitioners), to list the endemic Hawaiian freshwater goby fish *Lentipes concolor*, family Gobiidae, as a threatened species on the islands of Kauai and Molokai, and as an endangered species on the islands of Oahu, Maui and Hawaii. The petition also requested the Service designate as critical habitat, all streams from headwaters to stream mouths and associated tributaries within the following areas:

Kauai: Na Pali Coast and northeast coast from Makaha Point to Kilauea Point;
Molokai: northeast coast from Makalii Point to Cape Halawa;
Maui: Kahakuloa and Makamakaole Streams and tributaries on West Maui, Keanee Point Kaupo on East Maui;
Hawaii: northeast coast from Upolu Point to Mokupane Point.

The petition was dated September 28, 1989, and was received by the Service on October 4, 1989.

Information and data provided by the petitioners documents that although individual fishes of this endemic species have been found in 56 perennial streams (15 percent of the 366 perennial streams within the Hawaiian Islands), high population densities are known from fewer than 10 perennial streams. The reproductive potential of this species appears to be far less than that of other native goby fishes in Hawaiian streams, and effective breeding populations may be confined to only a few perennial streams. *Lentipes concolor* is reported to have the most limited distribution of any native freshwater fish in the Hawaiian Islands.

Previous scientific studies and collections indicate that adults of this species may be found in tributaries of major streams having terminal estuaries, in mainstreams between 700 feet and 1,500 feet elevation on large streams lacking terminal estuaries, and throughout the mainstream in small streams that discharge across terminal falls or cascades. Both large and small island streams are subject to potential adverse effects of habitat loss through continued dewaterment, channelization and watershed development.

Based on the best scientific and commercial information presently available, the Service has found that the petition has presented substantial information indicating that the actions requested may be warranted. The species was classified as a category 1 candidate species in the September 18, 1985 vertebrate notice of review (50 FR 37961). As part of a formal review of the status of *Lentipes concolor*, the Service would appreciate any additional data, comments, and suggestions from the

public, other concerned governmental agencies, the scientific community, industry, or any other interested party concerning the status of this species.

Author

This notice was prepared by John I. Ford, Honolulu Field Office, at the above address.

Authority: The authority for this action is the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

List of Subjects in 50 CFR Part 17

Endangered and threatened wildlife, Fish, Marine mammals, Plants (agriculture).

Dated: May 10, 1990.

David L. McMullen,

Acting Regional Director, U.S. Fish and Wildlife Service.

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